

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: September 12, 2018

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ALBERTO TORRES, *individually*, and
ALBERTO TORRES, *on behalf of others*
similarly situated,

Plaintiff,

v.

CHOI'S POTISMAN CLEANER, INC., *et al.*,

Defendants.

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KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of the parties' settlement agreement, dated September 12, 2018 (Dkt. #32). The Court has reviewed the proposal in light of *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), *Lopez v. Nights of Cabiria*, 96 F. Supp. 3d 170 (S.D.N.Y. 2015), and *Wolinsky v. Scholastic Inc.*, 900 F. Supp. 2d 332 (S.D.N.Y. 2012), and finds that the settlement is fair.

The Court notes that the attorneys' fees, provided for in Section 3.2 of the settlement agreement, were calculated using the percentage method and represent one-third of the total settlement amount. While the Court finds those fees to be reasonable, the Court does not make any finding as to the reasonableness of counsel's hourly rate.

17 Civ. 9963 (KPF)

ORDER

SO ORDERED.

Dated: September 12, 2018
New York, New York

A handwritten signature in blue ink, reading "Katherine Polk Failla".

KATHERINE POLK FAILLA
United States District Judge